

KEVIN V. RYAN (CSBN 118321)
United States Attorney

MARK L. KROTOSKI (CSBN 138549)
Chief, Criminal Division

TRACIE L. BROWN (CSBN 184339)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, CA 94102
Telephone: (415) 436-6917
Facsimile: (415) 436-7234

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
BERNIE CUSTODIO,)
)
Defendant.)

No. CR 06-659 VRW

~~PROPOSED~~ ORDER AND STIPULATION
EXCLUDING TIME FROM OCTOBER 19,
2006 TO OCTOBER 31, 2006 FROM THE
SPEEDY TRIAL ACT CALCULATION
(18 U.S.C. § 3161(h)(8)(A))

The parties appeared before the Honorable Nandor J. Vadas on October 19, 2006. With the agreement of the parties, and with the consent of the defendant, the Court enters this order documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A), from October 19, 2006 to October 31, 2006. The parties agreed, and the Court found and held, as follows:

1. The defendant agreed to an exclusion of time under the Speedy Trial Act. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence and the need to review the discovery that the government intends to produce shortly, and would deny the defendant continuity of counsel.

STIPULATION AND ORDER
06-659 VRW

1 2. Given these circumstances, the Court found that the ends of justice served by
2 excluding the period from October 19, 2006 to October 31, 2006, outweigh the best interest of
3 the public and the defendant in a speedy trial. Id. § 3161(h)(8)(A).

4 3. Accordingly, and with the consent of the defendant, the Court ordered that the period
5 from October 19, 2006 to October 31, 2006, be excluded from Speedy Trial Act calculations
6 under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

7 4. The parties shall appear before the Honorable Chief Judge Vaughn R. Walker at 10:30
8 on Tuesday, October 31.

9 IT IS SO STIPULATED.

10
11 DATED: 10/19/06

/S/

TRACIE L. BROWN
Assistant United States Attorney

12
13
14 DATED: 10/23/06

/S/

SHAWN HALBERT
Attorney for BERNIE CUSTODIO

15
16 IT IS SO ORDERED.

17
18 DATED: 10/31/2006



THE HON. NANDOR J. VADAS
United States Magistrate Judge